

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

DAYNA ALEXANDER,

Plaintiff,

vs.

Civ. No. 4:25-cv-01614

**CREDIT COLLECTION SERVICES, INC.
d/b/a CREDIT COLLECTION
SERVICES, Inc,**

Defendant.

**DEFENDANT CREDIT COLLECTION SERVICES, INC. d/b/a CREDIT COLLECTION
SERVICES, INC.’s REPLY TO PLAINTIFF’S MOTION FOR LEAVE AND BREIF IN
SUPPORT OF MOTION FOR SUMMARY JUDGMENT**

NOW COMES Defendant Credit Collection Services, Inc. d/b/a Credit Collection Services (“CCS”), by and through its undersigned counsel, and hereby files this Reply to Plaintiff’ Brief in Support of Motion for Summary Judgment Doc. Doc. 38 and Opposed Motion for Leave to File a brief in Support of Motion for Summary Judgment (Doc. 40 , the “Motion for Leave”) as follows:

I.

1. Plaintiff filed a Motion for Summary Judgment on May 2, 2025 along with a Memorandum of Law. Doc. 8.
2. On May 19, 2025, Plaintiff filed a Supplement in Support of her Motion for Summary Judgment. Doc. 11.
3. Thereafter on May 23, 2025, Plaintiff filed a Notice of No Rebuttal Evidence Seeking a Ruling on her Motion for Summary Judgment. Doc. 13.

4. CCS filed its Motion for Continuance of Deadline to Respond to Plaintiff's Motion for Summary Judgment on May 23, 2025, requesting the Court grant its motion as no discovery had been conducted and Plaintiff's Motion for Summary Judgment was filed one (1) day after CCS first appeared in this matter. Doc. 14.

5. Plaintiff filed her Opposition to CCS' Motion for Continuance on May 28, 2025. Doc. 15.

6. The Court has not issued a decision on CCS' Motion for Continuance, but Plaintiff continues to file supplementary motions for summary judgment, e.g., Doc. 23; Doc. 27; Doc. 34, and now files a Motion for Leave to File another Brief in Support of Plaintiff's Motion for Summary Judgment. Doc. 38; Doc. 40.

7. Despite seeking Leave of the Court on September 30, 2025 to file yet another summary judgment brief, Plaintiff filed a brief on the same day. Doc. 38.

8. Plaintiff's various motions for Summary Judgment argue the same points.

9. None of Plaintiff's motions or briefs set forth any valid ground to grant the requested relief given discovery has not concluded and the deadline has not expired.

10. CCS respectfully requests the Court deny Plaintiff's Motion for Leave and strike Plaintiff's Brief, Doc. 38, from the docket until such time as the Court issues its decision on Plaintiff's Motion. Doc. 40.

WHEREFORE, PREMISES CONSIDERED, Defendant Credit Collection Services, Inc. d/b/a Credit Collection Services respectfully requests this Court deny Plaintiff's Opposed Motion for Leave to File Brief in Support of Motion for Summary Judgment until after the close of discovery in this matter and strike Plaintiff's Brief in Support of Motion for Summary Judgment Doc. 38 as premature.

Dated: October 6, 2025

Respectfully submitted,

MARTIN GOLDEN LYONS
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/s/ Xerxes Martin

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COUNSEL FOR DEFENDANT

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing document has been forwarded via CM/ECF system to all parties entitled to notice of the same on this 6th day of October, 2025.

/s/ Xerxes Martin

EUGENE XERXES MARTIN, IV